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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

January 20, 2000

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Comments of MediaOne
File No. NSD-L-99-98
CC Docket 96-98
Petition of the Georgia Public Service Commission

Dear Ms. Salas:

Enclosed for filing are an original and four copies of the Comments of the MediaOne Group with regard to the public notice issued in the above matter.

Respectfully,

Richard A. Karre

Richard A. Karre
Senior Attorney
The MediaOne Group
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303.858.3504

enclosure

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Before the
Federal Communications Commission
Washington, D.C. 20554

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JAN 20 2000
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)	
)	
Petition of the Georgia Public Service)	NSD File No. L-99-98
Commission for Additional Delegated Authority to)	
Implement Number Conservation Measures)	
)	
Implementation of the Local Competition)	CC Docket No. 96-98
Provisions of the Telecommunications)	
Act of 1996)	

Comments of MediaOne Group

Pursuant to the Public Notice herein, MediaOne Group (MediaOne) submits these comments on the Petition filed by the Georgia Public Service Commission (GPSC). In that Petition, the GPSC requests additional delegated authority to implement number-conservation measures. Specifically, the GPSC seeks the ability to implement mandatory thousands-block pooling, to reclaim unused and reserved NXX codes, to set NXX code allocation standards, and the right to require carriers to submit utilization data.

MediaOne has no objection to the Commission's granting the additional authority requested by the GPSC, but we believe there is a better path for the Commission to follow. Recent events have demonstrated that granting additional authority to the states does not necessarily ensure that numbering resources will be made available to competitive entrants after the authority has been granted. MediaOne thus believes the Commission would do better if it were to mandate thousands-block pooling nationwide pursuant to a phased schedule and establish uniform definitions and rules to optimize number utilization.

I. GRANTING ADDITIONAL NUMBERING AUTHORITY TO THE STATES HAS NOT PROVIDED ADDITIONAL NUMBERING RESOURCES.

In September, the Commission issued four orders delegating additional numbering authority to California,¹ Florida,² Massachusetts³ and New York⁴ (collectively, “the September 15 Orders”). In those orders, the Commission granted additional authority to implement thousands-block pooling (subject to conditions),⁵ the authority to reclaim unused and reserved NXX codes,⁶ the authority to set NXX code allocation standards,⁷ and the authority to require carriers to submit code-utilization data.⁸ If the Commission is to continue granting such petitions, MediaOne knows of no reason to deny the GPSC authority it has already granted other state commissions. Based on experience to date, however, granting additional numbering authority to the states is unlikely to produce much relief.

In the September 15 Orders, the Commission stated that the states must not use the additional authority delegated in those orders to hinder competition:

Under no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice

¹ California Public Utilities Commission Petition for Delegation of Additional Authority Pertaining to Area Code Relief and NXX Code Conservation Measures, CC Docket No. 96-98, NSD File No. L-98-136 (September 15, 1999) (“CPUC Order”).

² Florida Public Service Commission Petition to Federal Communications Commission for Expedited Decision for Grant of Authority to Implement Number Conservation Measures, CC Docket No. 96-98, NSD File No. L-99-13 (September 15, 1999) (“FPSC Order”).

³ Massachusetts Department of Telecommunications and Energy’s Petition for Waiver of Section 52.19 to Implement Various Area Code Conservation Methods in the 508, 617, 781, and 978 Area Codes, CC Docket No. 96-98, NSD File No. L-99-19 (September 15, 1999) (“MDTE Order”).

⁴ New York State Department of Public Service Petition for Additional Delegated Authority to Implement Number Conservation Measures, CC Docket No. 96-98, NSD File No. L-99-21 (September 15, 1999) (“NYDPS Order”).

⁵ E.g., MDTE Order, paras. 15-22.

⁶ E.g., NYDPS Order, para. 24.

⁷ E.g., NYDPS Order, paras. 25-30.

⁸ E.g., FPSC Order, para. 22.

for a want of numbering resources. For consumers to benefit from the competition envisioned by the Telecommunications Act of 1996, it is imperative that competitors in the telecommunications marketplace face as few barriers as possible.⁹

The Commission further directed the states to “ensure that numbers are made available on an equitable basis” and that numbering administration policies “not unduly favor or disfavor any particular telecommunications industry segment.”¹⁰

Events since the September 15 Orders would suggest that the states have not heeded the Commission's admonitions that number conservation methods are not to preclude customers from receiving service from the telecommunications provider of their choice. In three of the states it serves, MediaOne is now (or soon will be) unable to provide competitive local service to customers solely due to an absence of numbering resources.

California. Last July, MediaOne was ready to serve four additional communities (44,000 homes) in the 310 area code. MediaOne has not, however, launched its service in these communities solely because it has no number resources.¹¹ For six months, the residents of these communities have been denied the opportunity to purchase MediaOne's competitive local service – which would otherwise be available to them.¹²

⁹ CPUC Order, para. 9; see also, MDTE Order, para. 9; NYDPS Order, para. 8.

¹⁰ Id., para. 8.

¹¹ The California Public Utilities Commission dismissed MediaOne's problems out of hand, citing the odd claim that “MediaOne has offered no documentary evidence to confirm that customers have been unable to select MediaOne because of the unavailability of numbering resources.” D. 99-12-023 (CPUC, December 2, 1999), p. 11. The fact is that 44,000 households in four communities within the 310 area code are unable to select MediaOne's local service because MediaOne is unable to provide service there due solely to the absence of numbering resources. One wonders what sort of “documentary evidence” (beyond a recitation of these uncontradicted facts) the CPUC would consider adequate.

¹² MediaOne could, theoretically, serve customers who elect to retain their existing number when they switch their service to MediaOne, which approximately half of MediaOne's new California customers do. That would leave MediaOne still unable to serve customers who move from other

Initially, the California Public Utilities Commission (CPUC) had scheduled an overlay area code (424) for the 310 area code, and MediaOne had reserved sufficient NXX codes in the new overlay to meet its needs. The CPUC has now essentially cancelled the overlay, leaving MediaOne (and other providers) without numbering resources. To its credit, the CPUC has moved rapidly to implement thousands-block pooling, which is now scheduled to take effect in March. Unfortunately, 310 may be too far exhausted for pooling to do any good: preliminary information suggests that the number of available thousands blocks will not meet the carriers' projected needs for even the first 18 months of pooling.¹³ If that proves to be the case, the only solution will be area code relief, a step the CPUC has repeatedly rejected.

Massachusetts. MediaOne plans to expand its competitive local service to a substantial number of new communities in Massachusetts during 2000. MediaOne will need an additional 23 NXX codes (or thousands blocks) just to serve the communities it has scheduled for the first half of the year; it will need at least that many more codes (or thousands blocks) in the second half of the year. If MediaOne does not receive the numbering resources it needs, many Massachusetts residents will be denied the opportunity to select MediaOne's competitive local service.

The Massachusetts Department of Telecommunications and Energy (MDTE) received authority from the Commission to implement thousands-block pooling on September 15, 1999. Four months later, the MDTE has not set a firm date for the commencement of pooling; at best,

rate centers or who wish to add an additional line. Because of the negative perception these limitations would create in the marketplace, MediaOne has chosen to launch its service in these communities only when it has the ability to provide "native" numbers.

¹³ See the attached report from NeuStar, the pooling administrator, indicating that a minimum of 64 additional NXX codes will be needed to provide enough thousands blocks to meet the carriers' needs in 310 through the third quarter of 2001.

pooling will not be in place sooner than July. In the meantime, MediaOne must rely on the existing NXX code lottery in Massachusetts, virtually assuring the delay of its service rollouts.¹⁴

New Hampshire. In December, MediaOne launched its competitive local service in four New Hampshire communities; it plans to launch the service in six additional communities in January. MediaOne had planned to expand its service to sixteen more New Hampshire communities by the end of March, but does not have enough NXX codes to do so.

The Commission granted the New Hampshire Public Utilities Commission (NHPUC) authority to implement thousands-block pooling on November 30, 1999.¹⁵ On January 7, the NHPUC ordered a trial of thousands-block pooling to begin on May 1, 2000. Though MediaOne welcomes the NHPUC's action and is prepared to work with the NHPUC, pooling will obviously do nothing to meet MediaOne's first-quarter needs. MediaOne's only option is to attempt to get NXX codes in the ongoing lottery, in which it has never received more than one NXX code per month. MediaOne will thus have no choice but to delay at least a substantial portion of its first-quarter launch plans, thus depriving many New Hampshire residents of the opportunity to select MediaOne's competitive local service.

Given this history, MediaOne believes the Commission should move away from the piecemeal grant of additional authority to individual states. The Commission should, instead,

¹⁴ Pursuant to authority granted in the MDTE Order, MediaOne recently asked the MDTE to issue 8 NXX codes to MediaOne outside the lottery process just to meet MediaOne's immediate needs; MediaOne pledged to donate 8,000 numbers from each such code to a thousands-block pool. The MDTE has indicated it will rule on MediaOne's request by the end of January. But if pooling does not begin until July, the grant of this request would still leave MediaOne short of the numbers it will need in the first half of the year.

¹⁵ New Hampshire Public Utilities Commission's Request for Additional Delegated Authority to Implement Number Optimization Measures in the 603 Area Code, NSD File No. L-99-71 (November 30, 1999).

move proactively to implement number-conservation measures nationwide, as discussed below.¹⁶

Moreover, when an area code is too far exhausted for pooling to do any good, the Commission must not hesitate to step in to ensure that the state commissions live up to their obligation to implement area code relief.

II. THE COMMISSION SHOULD ORDER THE IMPLEMENTATION OF NATIONWIDE NUMBER-CONSERVATION METHODS.

MediaOne believes the Commission should promptly order the nationwide implementation of number-conservation methods, including thousands-block pooling and a uniform set of federal definitions and rules to optimize number utilization before pooling is implemented. The Commission should also promptly establish an efficient, competitively-neutral cost-recovery system.

Rather than relying on state-sponsored trials, the Commission should order the nationwide implementation of thousands-block pooling. Under MediaOne's proposal, pooling would be implemented first in the top 100 MSAs and other areas with area codes in jeopardy, beginning in October of this year, to be completed by July 1, 2001. All other areas would then implement thousands-block pooling by July 1, 2003. LECs would be free to implement thousands-block pooling in specific area codes as best fits their needs, so long as they meet the overall deadlines.

To accomplish such a timetable, the Commission must adopt uniform pooling guidelines. The Industry Numbering Committee (INC) has already prepared pooling guidelines; the

¹⁶ If nothing else, the Commission should stop the continuing parade of state petitions by granting the same baseline authority to all states and then allow those states that need more to petition for it.

Commission should adopt those guidelines as its standard.¹⁷ Without uniform implementation guidelines, multi-state LECs could face different requirements in each state they serve, producing unnecessary inefficiencies and confusion

This sort of aggressive, uniform rollout of thousands-block pooling is essential to meeting the objective of ensuring that numbering resources do not impede the pro-competitive goals of the Communications Act. We already have indications that pooling comes too late to save the 310 area code; only the prompt implementation of pooling will prevent similar situations from arising in other parts of the country.

In addition to ordering thousands-block pooling, the Commission can and should establish a uniform set of federal definitions and rules to optimize number utilization before the implementation of pooling. These rules would address matters such as the verification of eligibility to obtain codes (or thousands blocks), reporting and record-keeping requirements, audits and enforcement processes, and the reclamation of unused NXX codes and thousands blocks. Without such rules, carriers will face the necessity of complying with differing requirements in the states they serve, and the Commission can have no assurance that the rules in all states will advance the objectives of the Communications Act.

Finally, the Commission should establish an efficient, competitively-neutral cost-recovery system. MediaOne believes that such a system would require the individual carriers to bear carrier-specific costs. Industry-wide costs, on the other hand, should be spread among the industry on the basis of a revenue-based allocator, including intrastate, interstate and international

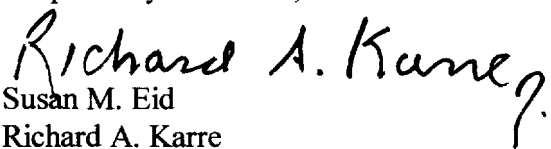
¹⁷ The INC is a standing committee of the Carrier Liaison Committee (CLC), and executive oversight committee of the Association for Telecommunications Industry Solutions (ATIS).

end-user revenues. CLECs (and other LECs whose rates are not directly regulated) should be allowed to recover their costs in any lawful manner.

CONCLUSION

MediaOne has no objection to the Commission's granting the additional authority requested by the GPSC. We believe, however, that bolder initiatives stand a better chance of producing the numbering resources industry members – and particularly new entrants – so need. Thus the Commission should order the nationwide implementation of thousands-block pooling on the schedule proposed above. The prompt rollout of thousands-block pooling offers the best immediate hope of alleviating number shortages where they exist and preventing them elsewhere. At the same time, however, the Commission must bear in mind that pooling will not solve number shortages everywhere: some area codes may simply be too far exhausted for pooling to do any good. When those circumstances arise, the Commission must be ready to step in when the state commissions do not move promptly to implement area code relief, the only viable solution at that point.

Respectfully submitted,


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Richard A. Karre
MediaOne Group, Inc.
1919 Pennsylvania Avenue, N.W.
Suite 610
Washington, D.C. 20006
202-261-2000

January 20, 2000

310 Combined Forecast

Non - Contamination
and Contamination

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA	
1			*****	***	*****	***	****2000****	***	*****	***	*****	****		*****	***	****2001****	***				*****	***						
2	310 Rate Centers	Forecast										# of Codes									# of Codes	18 Mo Total	Donations	New Code	Code+Blks=			
			1st Qtr	2nd Qtr			3rd Qtr		4th Qtr		Total 2000			1st Qtr	2nd Qtr	3rd Qtr		01 Totals										
3	AVALON		5	1			2		3		11	1		1	2	4		7	2	18	2	0						
4	BEVERLY HILLS		8	6			18		20		52	1		19	16	13		48	6	100	49	0						
5	CMTN CMTN		12	5			11		11		39	2		14	11	9		34	6	73	20	0						
6	CMTN GRDN		6	5			14		11		36	0		13	12	8		33	0	69	69	0						
7	CULVER CITY		8	3			9		10		30	0		13	11	10		34	3	64	37	0						
8	EL SEGUNDO		9	10			14		18		51	2		19	17	11		47	6	98	39	0						
9	HAWTHORNE		8	4			15		11		38	1		10	16	10		36	4	74	35	0						
10	INGLEWOOD		6	4			10		13		33	0		8	12	7		27	2	60	49	0						
11	LOMITA		7	3			10		8		28	2		8	11	6		25	4	53	13	0						
12	MALIBU		7	3			5		4		19	0		4	4	6		14	0	33	34	0						
13	REDONDO		13	5			14		14		46	0		16	19	20		55	4	101	62	0						
14	SNMN MRVS		13	11			22		22		68	2		23	23	21		67	8	135	49	0						
15	SNMN SNMN		30	16			28		32		106	7		39	38	33		110	8	216	40	0						
16	SAN PEDRO		10	3			9		10		32	0		9	12	8		29	3	61	37	0						
17	TORRANCE		9	4			13		9		35	0		11	10	10		31	1	66	61	0						
18	W ANGELES		15	15			26		36		92	6		41	39	35		115	8	207	38	0						
19		Total 2000 =	166	98			220		232		716	24		248	253	211		712	64	1428	634	0						
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23																								(in Blks)				
24							*****																					
25	Forecasted Blks 2000	=	716	=			Forecast Total	=	1428									Codes			Codes							
26	Total Donations (Blks)	=	634	=		18 Month	Donation Total	=	634									Needed	40		Opened							
27																		in 2001			to							
28	Codes needed in 00	=	24	=			Codes Needed	=	64												Date =	0						
29							*****																					
30																												
31	310 Number Pooling began = 3-18-00																											
32	Prepared By --	Kevin Gatchell																										
33	V-925-363-8742	Pooling Administrator																										
34	F-925-363-8761																											
35	Email kevin.gatchell@neustar.com																											
36																												



310 Combined Forecast

Non-Contamination only
(For Discussion only)
California Pooling Task Force
January 6, 2000

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X	Y	Z	AA
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2	310 Rate Centers	Forecast	1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total 2000	# of Codes		1st Qtr	2nd Qtr	3rd Qtr	01 Totals	# of Codes	18 Mo Total	Donations	New Code	Code+Blks=									
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4	BEVERLY HILLS		8	6	18	20	52	3		19	16	13	48	7	100	31	0										
5	CMTN CMTN		12	5	11	11	39	3		14	11	9	34	6	73	14	0										
6	CMTN GRDN		6	5	14	11	36	0		13	12	8	33	3	69	44	0										
7	CULVER CITY		8	3	9	10	30	1		13	11	10	34	4	64	27	0										
8	EL SEGUNDO		9	10	14	18	51	3		19	17	11	47	7	98	28	0										
9	HAWTHORNE		8	4	15	11	38	2		10	16	10	36	5	74	24	0										
10	INGLEWOOD		6	4	10	13	33	1		8	12	7	27	3	60	31	0										
11	LOMITA		7	3	10	8	28	2		8	11	6	25	4	53	12	0										
12	MALIBU		7	3	5	4	19	0		4	4	6	14	1	33	29	0										
13	REDONDO		13	5	14	14	46	0		16	19	20	55	5	101	51	0										
14	SNMN MRVS		13	11	22	22	68	3		23	23	21	67	8	135	38	0										
15	SNMN SNMN		30	16	28	32	106	8		39	38	33	110	8	216	25	0										
16	SAN PEDRO		10	3	9	10	32	1		9	12	8	29	4	61	29	0										
17	TORRANCE		9	4	13	9	35	0		11	10	10	31	3	66	39	0										
18	W ANGELES		15	15	26	36	92	7		41	39	35	115	8	207	27	0										
19		Total 2000 =	166	98	220	232	716	35		248	253	211	712	78	1428	450	0										
20			1st Qtr	2nd Qtr	3rd Qtr	4th Qtr	Total 2000			1st Qtr	2nd Qtr		Total 2001		18 Mo	Total	Total										
21															Block	Donations	Donation +										
22															Total		Code open										
23																	(in Blks)										
24																											
25	Forecasted Blks 2000	=	716	=			Forecast Total	=	1428																		
26	Total Donations (Blks)	=	450	=			18 Month Donation Total	=	450																		
27																											
28	Codes needed in 00	=	35	=			Codes Needed	=	78																		
29																											
30																											
31	310 Number Pooling began = 3-18-00																										
32	Prepared By -	Kevin Gatchell																									
33	V-925-363-8742	Pooling Administrator																									
34	F-925-363-8761																										
35	Email kevin.gatchell@neustar.com																										
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310 Combined Forecast

Non-Contamination only
(For Discussion only)
California Pooling Task Force
January 6, 2000

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CERTIFICATE OF SERVICE

On January 20, 2000, I caused to be delivered to the Commission's mailroom, copies of the foregoing comments. These copies were directed to:

Magalie Roman Salas
Secretary
Federal Communications Commission
(original and four copies)

Yog Varma
Deputy Chief
Common Carrier Bureau
Federal Communications Commission

L. Charles Keller
Chief
Network Services Division
Common Carrier Bureau
Federal Communications Commission

Diane Griffin Harmon
Deputy Chief
Network Services Division
Common Carrier Bureau
Federal Communications Commission

Al McCloud
Network Services Division
Common Carrier Bureau
Federal Communications Commission
(2 copies)

John H. Wynn
1.20.00